

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

NBL FLOORING, INC., on behalf of itself :
and others similarly situated, :
Plaintiff, : CIVIL ACTION NO. 10-4398
:
v. :
: FILED
TRUMBALL INSURANCE CO., et al., : OCT 18 2013
Defendants. :
: MICHAEL E. KUNZ, Clerk
By _____ Dep. Clerk

ORDER

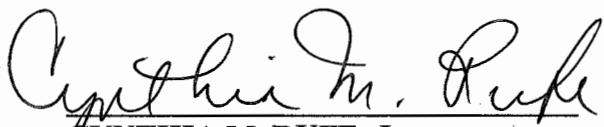
AND NOW, this 18th day of October 2013, upon consideration of Defendants' Motion to Strike Plaintiff's Expert Report [Doc. No. 76] and Plaintiffs' response thereto, and for the reasons set forth in the accompanying memorandum opinion, it is hereby ORDERED that the Motion is GRANTED in part and DENIED in part.

The Court STRIKES portions of Mr. Priz's expert report. Specifically, the Court has found Mr. Priz unqualified to describe, interpret, or apply Pennsylvania law, and will strike his report to the extent that it discusses the criteria insurers must consider in determining premiums under Pennsylvania's Workers' Compensation law or opines as to whether Defendants' audits complied with Pennsylvania law.

Should Plaintiff wish to call Mr. Priz as a witness at the class certification hearing scheduled for October 24, 2013, the Court will allow Mr. Priz to testify regarding the issues on which the Court has found him qualified.

It is so ORDERED.

BY THE COURT:


CYNTHIA M. Rufe